Instructions for Preparation and Adoption of a Periodic Review Order/Sample Order

The Periodic Review Order--A Findings Document

A periodic review order is primarily a findings document. The order explains how the comprehensive plan and land use regulations relate to periodic review requirements. These requirements are outlined in statutory form in ORS 197.640. The requirements are explained in more detail in LCDC administrative rule OAR 660-19-055 through 057 and the DLCD notice to local government which initiates periodic review.

The statutes and rules do not specify or require that the order be in a particular form. As explained above, the periodic review order is a findings document. Findings can be developed in many alternative forms and meet the requirements of periodic review. Good findings contain several basic elements which are essential in addressing periodic review requirements.

Elements of Good Findings

Findings are generally divided into three elements:

1. Facts
2. Reasons
3. Conclusions

Organization and format are not critical in findings as long as the above elements are presented in an understandable manner.

Facts

This is the listing of the basic facts related to the periodic review issues and includes references to plan material, policies, and implementing measures. Facts must include a clear statement of requirements. Facts can easily be incorporated into an order by reference or citation without use of lengthy quotes. In addition to such references, an easily understood summary is helpful to readers.

Reasons

This is typically the area where orders are inadequate. The Reasons section provides a link between the findings of fact and the conclusions. In many cases, this can be accomplished by use

of the word "because". The key is a clear statement of the requirement, followed by the facts, followed with a conclusionary statement linked to the requirements and summed up by a conclusion of law. Example: Goal 10 requires a jurisdiction to meet its housing needs. The city has provided adequate land for 100 housing units to accommodate a projected need for 90 units (Plan, p. 10). The city does not regulate housing types. The city has accommodated its housing needs because it has provided adequate land for housing in relation to the needs projection. We therefore conclude that Goal 10's requirement to meet housing needs has been satisfied.

Conclusion

This is the section of the order that states a goal or other requirement has been met. The conclusion should be linked either by reference to "the above findings and reasons" or by use of the word "Therefore...".

Summary Related to Findings

Findings are an essential element in the local periodic review process. Although concise writing is preferable, orders will require additional findings where controversial issues arise and where decisions are likely to be appealed. In such cases, the local legal counsel should be consulted for advice.

Suggested Format and Explanation

Introduction

The periodic review order should begin with an introductory statement outlining the purpose of periodic review and should include an overview of the process outlined in ORS 197.640 through 197.647 and LCDC rules, OAR 660, Division 19. The introduction should also explain the local plan requirements and framework for carrying out the local process.

Background Information

This section of the order should contain information about the jurisdiction, its planning program and significant adoption dates (Plan, Zoning Ordinance, Subdivision Ordinance, Development Code, other major documents, and studies). The order should contain information on the initial LCDC acknowledgment, including the date(s) of LCDC orders.

The order should describe key amendments to the plan and land use regulations adopted after acknowledgment. It is important to outline all amendments undertaken prior to the beginning of the "post acknowledgment" amendment review process (January 1, 1982). Note: Some amendments will be explained and analyzed in detail under the individual periodic review factors. For purposes of "Background Information" only general information is needed.

Findings and Conclusions

This section is the most import ant element of the periodic review order. This is where the local government evaluates its plan and regulations against the statutory periodic review factors. The easiest way to deal with this section is to divide the factors into their sub-parts, or standards. Each standard should be clearly stated as the basis for review. Next, relevant factual material should be stated or referenced. Following the statement or listing of relevant factual material, the order should analyze the facts against the review standard. Out of this analysis, the jurisdiction will determine that the standard is or is not met.

Where the standard is not met, the order should explain what steps or measures are necessary to correct the deficiency and assure the standard is met. The order can, where applicable, provide an analysis and reasoning for choosing among alternative corrective measures. Note: Amendments should be attached to the order as supplementary documents.

Under each standard, or factor, the jurisdiction should make a conclusion that the standard or factor is met.

Overall Conclusion

The findings should be summarized by an overall conclusion statement outlining the results of the periodic review. This section should list new documents relied upon and amendments proposed through the process. The section could also provide the initial outline of key issues and procedures to be addressed in the next periodic review or planning steps to be undertaken in the interim between periodic reviews.

Methods of Adoption

There is no requirement for the form of adoption of the periodic review order. Because it is primarily a findings document, adoption by resolution is satisfactory unless local regulations provide otherwise. However, any necessary amendments accompanying the order will need to be properly adopted. In most cases, this requires an ordinance.

Statutes and local charters should be reviewed for direction method of adoption, where questions arise.

Note: Attached is a sample order for the fictitious City of Salmonville. The situation described is unique to the fictitious situation described. Because of the complex interrelationship between planning circumstances, local plan provisions, ordinance framework and periodic review requirements, the sample cannot be used as a "fill-in-the-blanks" model. The sample is intended for illustrative purposes only. Technical assistance is available from DLCD should a jurisdiction need additional help or copies of periodic review orders adopted by other jurisdictions.

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CITY OF SALMONVILLE, ORDER

SAMPLE PROPOSED LOCAL REVIEW ORDER

I. INTRODUCTION

ORS 197.640 requires cities and counties to review their comprehensive plans and land use regulations periodically and make changes necessary to keep plans and regulations up-to-date, in compliance with the statewide planning goals, and coordinated with the plans and programs of state agencies. Local governments must adopt findings in the form of a local review order responding to four periodic review factors and enact necessary measures to bring their plan and regulations into compliance with the periodic review factors. This proposed local review order provides findings and recommends amendments to the City of Salmonville's plan and development ordinance in order to satisfy the periodic review requirements of ORS 197.640 and OAR 660, Division 19, "Periodic Review."

In addition, policy 10-c of Salmonville's plan requires a review of the plan and development ordinance at least every fourth year. This order and the present review also serve to satisfy this requirement.

II. BACKGROUND INFORMATION

1. The City of Salmonville's plan and land use regulations were adopted as follows:

Comprehensive Plan	Ordinance No. 82	November 1, 1980
Development Ordinance	Ordinance No. 83	December 12, 1980

2. The city's plan and development ordinance were acknowledged to be in compliance with the statewide planning goals on March 1, 1981.

3. There has been one amendment to the city's plan Background Report since acknowledgment and one amendment to the plan and zoning maps. The city amended Chapters 3 (Population) and 4 (Housing) of the plan Background Report to reflect the 1980 Census data. The city also amended the plan and zoning map designations for 7.3 acres in the Maple Grove area. These amendments were made subsequent to acknowledgment but prior to January 1, 1982, i.e., prior to the legislative enactment of the post-acknowledgment plan amendment process. Therefore, these amendments have not been submitted to the Department of Land Conservation and Development and thus are not

considered acknowledged at this time. The city believes these amendments comply with the goals and has included them with this order so that they may now be reviewed for compliance with the statewide planning goals.

III. PERIODIC REVIEW FINDINGS AND CONCLUSIONS

1. The city began its periodic review in January 1986 when the city council directed and approved citizens advisory committee, the city recorder, and the public works director to review the DLCD notice dated December 25, 1985.

2. Public meetings discussing the city's periodic review were conducted by the citizens advisory committee on March 10, and May 1, 1986.

3. The city council held a public hearing on June 10, 1986, to consider adoption of this proposed review order as the city's official response to the DLCD notice.

4. The city council has scheduled a final public hearing on adoption of the local periodic review order and proposed plan and development ordinance amendments for October 15, 1986.

5. There are four factors, under OAR 660-19-055 through 057, which must be addressed in the local periodic review of the comprehensive plan and implementing ordinances. These apply to the City of Salmonville as follows:

FACTOR ONE

SUBSTANTIAL CHANGE IN CIRCUMSTANCES

A. Major Unanticipated Developments or Events

Applicable Rule: OAR 660-19-057(1)(a)

> "Major developments or events which have occurred that the acknowledged plan did not assume or anticipate or major developments or events which have not occurred that the acknowledged plan did assume or anticipate. Local periodic review findings must describe any occurrences such as the construction of or decision not to build a large project like a major reservoir, a regional shopping center, a major energy or transportation facility; a significant change in the local government's natural resources or economic base; significant unexpected population growth; significant consecutive decline in population growth rate; failure or inability to provide public facilities and services in accordance with the plan, etc."

Findings: The Salmonville citizens advisory committee, city staff, and elected officials have reviewed numerous documents, city records, and the city's acknowledged plan and have conducted lengthy discussions in order to determine whether there have been any major unanticipated developments that have occurred or anticipated developments which have not occurred since the plan was acknowledged. Development permits, economic trend data supplied by Economic Development Department, 1985 PSU population estimates, city financial records, annual reports and plans of public utilities, and the Beaver County Comprehensive Plan have all been reviewed. Review of these documents and the consensus of those who have participated in the periodic review plan update indicate that there have been no major unanticipated developments or unrealized planned-for developments or events impacting Salmonville's planning area since acknowledgment. Population growth has been less than projected but not enough to require major plan revisions (see response to Factor One-D, PSU population estimates). The local economy declined along with the rest of Oregon's small cities in the early 1980s but appears to be recovering. The city is financially stable and able to meet its current public service demands. Recent construction within the UGB has been primarily for residential uses with no major commercial, industrial, or residential developments occurring or planned, with one exception. That exception, the development of a 7.3-acre shopping center, is discussed under Factor One-B. The recent level and type of development that has occurred is essentially what was anticipated by the plan. Therefore, the city finds that no plan revisions are needed in response to Factor One-A.

Conclusion: No major developments or events have occurred which were not assumed or anticipated by the acknowledged plan. Therefore this subsection of Factor One does not apply to the City of Salmonville.

B. Cumulative Effects of Plan Amendments and Implementation Actions

Applicable Rule: OAR 660-19-057(1)(b):

> "Cumulative effects resulting from plan and land use regulation amendments and implementation actions on the acknowledged plan's factual base, map designations, and policies which relate to statewide goal requirements.
>
> (A) For local governments responsible for plans inside urban growth boundaries, periodic review findings must describe the cumulative effects of plan and land use regulation amendments and implementation actions on the overall urban land supply for the plan's chosen (usually 20 years) time frame; on the amount of vacant buildable land remaining for needed housing and economic development; on the provision of public facilities and services to meet development needs identified in the plan; on the protection of Willamette Greenway values and resources; on the amount of vacant especially suited, water-dependent coastal shoreland areas; and on other specific statewide planning goal matters that the Director includes on the local government's periodic review notice."

Findings: In late 1981, the city adopted a plan amendment which revised data included in Chapters 3 (Population) and 4 (Housing) of the plan background report to reflect information from the 1980 U.S. Census Report. No revisions to policies, population projections, or land allocations were found necessary at that time to respond to this new information. The city has attached to this order the revised background with the outdated statistics handwritten adjacent to the new data. There is very little difference between the outdated and revised data. The city has thoroughly reviewed the plan and finds no need to revise the plan's map designations, policies, or the plan's factual base because of information included in the census report.

In late 1981, the city also adopted a plan map redesignation from Residential to Commercial and a zoning map redesignation from RR-5 to General Commercial on 7.3 acres on Maple Grove Road to allow for construction of a shopping center including a grocery, bowling alley, large sporting goods store, and other smaller commercial establishments. Construction was completed in November 1983. The shopping center is now substantially occupied.

The city has adopted copies of the application for the plan and zone change, an analysis of the development's impact which was prepared for the city by the Beaver County Planning Department, and the minutes of the September 12, 1981, planning commission hearing and the October 30, 1981, city council meeting at which the amendment was adopted. The city's adoption of the amendments for the shopping center was justified primarily on findings that the proposed uses required a significant amount of land in one parcel; the undeveloped commercial lands in the city did not exist in a large enough block for this development; the replanning/ rezoning would not significantly impact the supply of needed residential lands; and, therefore, the city was justified in redesignating this land for commercial uses.

Since acknowledgment, the city has issued six building permits for new single family residences and one permit for a new four-plex within the city limits. No new residences have been built within the UGB but outside the city limits. No permits for industrial or commercial construction have been issued except for those related to the new shopping center.

The CAC and city staff have reviewed the possible cumulative effects on the plan's factual base, map designations, and policies resulting from the plan and zoning map amendments for the new shopping center and also the construction of new dwellings within the city. The city finds:

1. The shopping center development amendments and the construction of new dwellings have resulted in the removal of approximately 15.3 acres of residentially planned land from the city's 1980 buildable lands inventory; 87.5 acres of buildable residential land remain available within the UGB, 35 acres of this within the city limits. Much of this land is either already served by roads, sewers and water, or else is planned for future service. There is no need to amend the plan's provisions for buildable residential lands since the supply is still adequate to accommodate projected growth in the City of Salmonville (see further details on needed lands under Factor Two, response to the Goal 10 rule).

2. There has been no decrease in either available industrial or commercial land within the UGB since acknowledgment. No new industrial development has occurred since acknowledgment. The supply of developable industrial land remains ample to meet projected needs. The overall supply of commercial land has increased because of the amendments for the shopping center development. The amount of vacant commercial land has remained the same as in 1980 with some of the demand for commercial land that was projected at that time having been met by the new shopping center. Therefore, there is probably an oversupply of vacant commercial land is Salmonville. The

CAC and staff have looked at this situation and determined that since the vacant commercial parcels are scattered amongst developed commercial lands, it would not be practicable to redesignate this land for other uses in order to reduce the supply of commercial land to more adequately fit the present need.

3. Development within the city has only minimally increased demands on the city's public facilities. As a condition for development of the shopping center, the developer financed widening of Maple Grove Road in front of the shopping center. No significant road improvement needs have been identified through the local review. The city's wastewater treatment plant, which was completed in 1978, has a stated capacity of .6 MGD or approximately 4,000 population equivalents per day. The capacity is more than adequate to meet the demands of projected population growth during the next 15 years. The wastewater collection system was evaluated for infiltration and inflow prior to construction of the plant and significant improvements have been made to reduce their impacts on effluent flows. The water supply treatment and storage facilities have adequate capacities and are in good condition (Water District Annual Report-1985, pp. 13-16). The city's public facilities are, as a whole, in quite good shape. The new development since acknowledgment, therefore, has not significantly impacted the ability of public facilities and services to serve the future needs of Salmonville.

4. Salmonville is not located near the Willamette Greenway or the coast. Therefore, the requirements relating to those particular areas are not applicable to this analysis. The DLCD notice did not identify any other goal issues which need to be considered.

Conclusion: The city finds no significant cumulative effects on the plan's factual base, map designations, and policies related to goal requirements as a result of the city's plan and land use regulation amendments and implementation actions. Therefore, the city finds no need for further revisions to the plan or implementing ordinances as a result of the cumulative effects of amendments and implementation actions.

C. Decision to Delay or Not Carry Out Plan Policies

Applicable Rule: OAR 660-19-057(1)(c)

"Oversight or a decision by the local government to delay or not carry out plan policies which relate to a statewide goal requirement. Local periodic review findings must describe why, for example, policies requiring a citizen involvement program evaluating a revised inventory of

natural hazards, or a date-specific, overall revision of the plan, etc., have not been completed."

Findings: The DLCD notice pointed out that Policy 10-c on page 12 of the Salmonville plan has not been carried out. That policy states"

"The Citizen's Advisory Committee and the Planning Commission will conduct a thorough review of the plan and implementing ordinances at least every fourth year following acknowledgment and will recommend any changes or studies found to be necessary."

The planning commission, after discussion with several members of the Citizens Advisory Committee and city staff members, made a decision not to follow through on this policy after the city became aware of the upcoming LCDC periodic review. The Commission determined that there was no need to perform comprehensive reviews both in late 1984, in accordance with the plan policy, and early 1986, in accordance with the LCDC periodic review schedule. The Commission's decision is recorded in the minutes of their October 27, 1984, meeting.

The city now proposes replacing Policy 10-c with the following policy statement:

"The Citizens Advisory Committee and the Planning Commission will conduct a thorough review of the plan and implementing ordinances at least as often as directed by the Oregon Department of Land Conservation and Development in order to satisfy the periodic review requirements of ORS 197.640."

Conclusion: Although the city has not carried out the existing policy within the stated time frame, the present local periodic review carries out the objectives of this policy. The city's local review finds no other policies related to goal requirements which have not been carried out. Therefore, the requirements of this subsection of Factor One are satisfied.

D. Availability of New Inventory Information

Applicable Rule: OAR 660-19-057(1)(d)

"Incorporation into the plan of new inventory material which relates to a statewide goal made available to the jurisdiction after acknowledgment. Local periodic review findings must list what applicable published state or federal reports have been made available to the jurisdiction after acknowledgment containing new inventory material, for example, on groundwater availability, air quality, big game habitat, census information, soil

surveys, natural hazards, etc., and describe what steps, including any amendments to the plan's factual base, policies, map designations and land use regulations, have been taken in response to this information."

Findings: Updated inventory information from several state agencies was mentioned in the DLCD periodic review notice to the city. No other relevant inventory information is known to be available. The city has obtained and reviewed all listed inventories and finds that this information applies to the plan as follows:

ODOT

Statewide Comprehensive Outdoor Recreation Plan (SCORP): The city used pertinent statistical information from SCORP in updating the plan's recreational resource inventory, pages 19-21 (proposed text attached).

State parks inventory updates: There are no state parks located within the Salmonville UGB nor are any planned. This inventory is not applicable.

Airport inventory updates: There is no airport within the Salmonville planning area. No information which conflicts with the comprehensive plan is included in the Oregon Aviation System Plan. Therefore, this inventory is not applicable.

Highway inventory updates: The Six-Year Highway Improvement Program, 1984-1989, dated January 1984, identified the planned construction of the Steelhead Creek Bridge on Highway 86 which is scheduled to occur in 1987. The reconstruction will not impact land use within the UGB nor will it significantly impact the city's economy. The city has reviewed and approves of ODOT's Finding of No Significant Impact (FONSI) for the project. The city proposes to amend the plan's Background Report, at page 24, to reflect this proposed project (proposed text attached).

DEQ

1985 Atlas of Oregon Lakes: The city has reviewed this document and verified that there are no lakes located within the city or UGB. This inventory update item is therefore not applicable.

Annual Air Quality Reports: Updated information from the 1984 Oregon Air Quality Annual Report published by DEQ will be incorporated on page 42 of the plan. No significant deterioration in air quality has occurred in the airshed. No amendments to the plan policies, standards, or implementing ordinances are necessary based

on analysis of this information (see attachment for plan amendment proposal).

Semiannual Water Quality Assessment Reports: Updated information regarding water quality in Steelhead Creek is proposed to be incorporated on page 43. This information does not reflect any significant change in water quality. No plan amendments other than to incorporate the latest information are necessary (see attachment for plan amendment proposal).

EPA 1985 Hazardous Waste Disposal Sites Inventory: A review of the Hazardous Waste Disposal Facilities Inventory indicates that no such sites are located within the Salmonville planning area. This inventory is not applicable to the city.

1980 Major Water Table Aquifers with Sensitive Areas: A review of this information indicates that the city overlies an area of groundwater that is a potentially sensitive area. The city proposes to adopt text amendments at page 44 to reflect this new information. A letter from DEQ hydrogeologist, Tom Smith, dated May 8, 1986, indicates that at this time there are no requirements for the city to take further action regarding the potentially sensitive groundwater area.

DWR

The city is not located within an area that is the subject of a critical groundwater study or current basin program according to correspondence from DWR dated February 21, 1986. DWR's inventories are therefore not applicable to the city's review.

PSU

The latest (1985) Portland State University population estimates for the city and county will be incorporated in the updated plan at various places (see attached amendments). Because the 1985 PSU estimated population for 1985 (2,040) is only somewhat less than the plan had projected for 1985 (2,055), the city finds that there is no need to revise the projections at this time. Also, the city does not find a need to further revise the plan to respond to the unrealized population projection through means such as revising the plan's land allocations for various uses, shrinking the urban growth boundary, adjusting the housing needs projections, or leaving those elements of the plan unchanged and extending the planning period. If the difference between the projected and estimated populations increases by the time of the next periodic review, the city will consider the above options in its local review and revise the plan accordingly.

Conclusion: The updated plan needs to include the applicable inventory information as noted above and proposed in the attachments. When amendments are adopted, the city will comply with this subsection of Factor One.

E. New or Amended Statutes

Applicable Rule: OAR 660-19-057(1)(e)

"Consistency of the plan and land use regulations with new or amended statutes adopted since acknowledgment. Local periodic review findings must address new statutes adopted since acknowledgment and explain how the plan and land use regulations continue to meet the statutory requirements."

Findings: The December 25, 1985, notice from DLCD listed several new or revised statutes related to land use as applying to Salmonville under subfactor One-E.

ORS 197.295-313: Needed Housing

ORS 197.303 elaborates on Goal 10, Housing, by stating that "needed housing" also means: "(a) Housing that includes, but is not limited to, attached and detached single-family housing and multiple-family housing for both owner and renter occupancy and manufactured homes; and (b) Government assisted housing." The statute further exempts a "city with a population of less than 2,500" from the requirements of ORS 197.303(1)(a). Salmonville's estimated 1985 population is 2,040 and thus the city is exempted from having to address the requirements of ORS 197.303(1)(a). The city's response to ORS 197.295-313 is addressed under Factor Two in response to the Goal 10 rule.

ORS 197.752: Lands Available for Urban Development

ORS 197.752 requires that (1) "lands within urban growth boundaries shall be available for urban development concurrent with the provision of key urban facilities and services in accordance with locally adopted development standards"; and (2) "notwithstanding ORS 197.752(1) lands not needed for urban uses during the planning period may be designated for agriculture, forestry or other nonurban uses." All land within Salmonville UGB is designated for urban uses so (2) does not apply. Plan Policy 12-B, page 17, requires that land within the city's urban growth boundary may be converted to urban uses only through annexation to the city when a minimum level of key urban facilities and services can be provided and that extension of those facilities is logical with regard to timing. This policy satisfies the requirements of ORS 197.752(1) and therefore, no plan or regulation revisions are necessary.

ORS 227.175: Application for Permit or Zone Change Fees

ORS 227.178(1) requires a city to "establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service." The city already has a permit fee schedule which meets the requirement. A copy is enclosed. No revisions are necessary.

Section (2) requires that a city establish a consolidated procedure for an applicant to apply at one time for all permits needed for a development project. The city's review procedures presently utilize a consolidated application process which allows permits to be applied for at one time and processed concurrently (Development Ordinance, Section VI). No revisions are necessary.

Sections (3)-(6) requires at least one public hearing, the provision for notice to the applicant and other interested parties, approval based on compliance with the comprehensive plan, and approval or denial of an application without a hearing if notice and appeal provisions are provided. Chapter VI, Administrative Provisions, in the city's development ordinance, requires hearings, notice, and approval based on comprehensive plan compliance for all legislative and quasi-judicial land use actions in conformance with the requirements of ORS 227.175. Therefore, no revisions to the ordinance are necessary.

ORS 227.178: Final Action on Permit Application Within 120 Days

ORS 227.178 requires a city to take final action on a permit application or zone change within 120 days upon receipt of a complete application. This time requirement does not apply to an acknowledged comprehensive plan amendment or adoption of a new land use regulation. Section VI, Article 2, of the city's development ordinance imposes review requirements for all quasi-judicial actions, i.e., zone change, conditional use, variance, subdivision, etc., and requires hearing within 60 days of receiving the application. However, Article 3 provides for continuation of the initial hearing without additional notice and without designating a time limit. While a final decision would likely be rendered within the 120-day period, the ordinance does not specify it. Therefore, a code amendment is proposed (see attachment).

ORS 227.180: Review of Action on Permit Application

ORS 227.180 allows a city to establish whether an aggrieved party may appeal a hearings officer decision to the planning commission or city council or else the city

may declare that hearings officer's decisions are final decisions. The statute also establishes that reasonable appeal fees may be set and defines ex parte contacts. The city does not use a hearings officer for conducting land use hearings and fees for conducting an appeal are already reasonable (see attached fee schedule). Therefore, much of this statute is inapplicable. The statute's provisions regarding ex parte contacts are self-executing and need not be included in the city's plan or ordinances.

ORS 443.590: Residential Homes

ORS 443.590 enacts a statewide policy stating that "physically or mentally handicapped persons are entitled to live as normally as possible within communities because their disability requires them to live in groups." ORS 443.600(1) provides that a "residential home shall be considered a residential use of property for zoning purposes, including areas zoned for single-family dwellings. No city or county shall enact or enforce zoning ordinances prohibiting the use of a residential dwelling, located in an area zoned for residential or commercial use, as a residential home."

According to the statutory definition, residential home "means a residence for five or fewer unrelated physically or mentally handicapped persons and for staff persons who need not be related to each other or to any other home resident." In recognition of this statewide requirement, the city proposes to amend its development ordinance at Section I, Definitions, to define residential home in accordance with the statutory definition and state that it shall be considered a residential use to be allowed in any zone where residential uses are permitted (see attached amendments).

Conclusion: Adoption of the proposed development code amendments mentioned above will assure that Salmonville complies with the statutory requirements listed in the DLCD notice thereby satisfying this section of Factor One.

F. Other Issues Involving a Substantial Change in Circumstances

Applicable Rule: OAR 660-19-057(2)

"Nothing in subsection (1)(a)-(e) of this rule is meant to limit or prevent any person from raising other issues or objections involving the 'substantial change in circumstances factor set forth in OAR 660-19-057 as long as such concerns are submitted consistent with the requirements of OAR 660-19-080."

Conclusion--Factor One: The City of Salmonville has considered substantial changes in circumstances which may have had an impact on the plan and land use regulations. The city has assessed the impacts of those changes in the preceding discussions and has proposed amendments to the plan and regulations as necessary to address the changed circumstances. When these proposed changes are adopted, the city will comply with the requirements of Factor One.

FACTOR TWO

NEW OR AMENDED GOALS OR RULES ADOPTED SINCE THE DATE OF ACKNOWLEDGMENT OAR 660-19-055(2)(B)

"Previously acknowledged provisions of the comprehensive plan or land use regulations do not comply with the goals because of goals subsequently adopted or statewide land use policies adopted as rules interpreting goals under ORS 197.040."

Findings: The following new and amended goals and rules, applicable to the city were adopted after acknowledgment.

GOALS	EFFECTIVE DATE
Goal 2 Land Use Planning Amendments (Exceptions)	12/30/83
RULES	
Goal 2 Land Use Planning Rule (660-04-000) (Exceptions)	07/21/82
As Amended	12/20/83
As Amended	03/20/86
Goal 5 Open Space/Natural Resources Rule (OAR 660-16-000)	06/29/81
Goal 10 Housing Rule (OAR 660-08-000)	07/21/82

Goal 2 Amendments, Goal 2 Rule (OAR 660, Division 4), ORS 197.732:

The plan and land use regulations do not contain any exceptions or cite standards for exceptions under Goal 2, OAR 660, Division 4, or ORS 197.732. The city is not proposing any new or amended goal exceptions at this time. Because there are no conflicting standards in the plan or regulations or proposed amendments to them, the city therefore concludes that the requirements of the amended Goal 2, the Goal 2 rule and ORS 197.732 do not require changes to the city's plan or regulations.

Goal 5 Rule (OAR 660, Division 16):

The Goal 5 administrative rule was adopted by LCDC subsequent to the city's acknowledgment. Therefore, the plan and implementing ordinances must be revised at this time to comply with this rule.

Goal 5 concerns the following resources:

a. Land needed or desirable for open space;

b. Mineral and aggregate resources;

c. Energy sources;

d. Fish and wildlife areas and habitats;

e. Ecologically and scientifically significant natural areas, including desert areas;

f. Outstanding scenic views and sites;

g. Water areas, wetlands, watersheds, and groundwater resources;

h. Wilderness areas;

i. Historic areas, sites, structures, and objects;

j. Cultural areas;

k. Potential and approved Oregon recreation trails;

l. Potential and approved federal wild and scenic waterways and state scenic waterways.

The Goal 5 rule requires the following for each of the above resources:

1. An inventory of the quality, quantity, and location of the resources, if available;

2. A determination of potential uses of the resource property or surrounding properties which may conflict with the resource;

3. An analysis of the environmental, social, economic, and energy consequences of allowing conflicting uses;

4. Decisions, including plan policies, which describe the city's action regarding the resources and potential conflicting uses; and

5. Implementing ordinances, including zoning, which carry out these decisions and resolve conflicts.

The city's plan and ordinances address each of the above resources, but the plan does not document each of the decision-making steps, especially steps 2-4. For each Goal 5 resource, the city has either determined that the resource does not exist within the Salmonville UGB or else has completed a Goal 5 work sheet (supplied by the Department of Land Conservation and Development). These work sheets are supporting documents to the plan and are attached to this order. The city's Goal 5 treatment of the resources is summarized below:

a. Land needed or desirable for open space is inventoried on pages 58-60 of the plan. This land is designated "Greenways" on the comprehensive plan map and is protected by Chapter V--Greenways, of the development ordinance. Further, Section 1, Article 3, Chapter 11, of the ordinance requires a public dedication of the greenway as part of the review process for residential developments. The city has acquired a 2.5 and a 3.1-acre greenway site through dedication, and will continue to preserve this designated open space as development occurs.

b. Mineral and aggregate resources within Salmonville are not identified on geologic maps prepared by the State Department of Geology and Mineral Industries. Beaver County operates a gravel quarry located north of Southwest Bridgeport Road outside the urban growth boundary, but no known quarry sites have been identified within the city. Therefore, this resource is not applicable to Salmonville's Goal 5 review.

c. Energy sources have not been identified in Salmonville either by the State Department of Energy or the State Department of Geology and Mineral Industries. The city is unaware of any energy sources within the city. Thus, this resource is also not applicable.

d. Fish and wildlife areas and habitats coincide with the greenway areas designated under the plan's open space resource element. Pages 7-11 of the City of Salmonville Background Report inventory the fishery and wildlife habitat resources. Steelhead Creek and its associated riparian vegetation is identified as a significant habitat. These areas are protected by the greenway overlay zone in the development ordinance (Chapter V) and will also be acquired as dedicated public open space through the development review process.

e. Ecologically and scientifically significant natural areas, including desert areas have not been identified in Salmonville by the State Natural Heritage Advisory Council or The Nature Conservancy's data base and, therefore, this resource does not apply to Salmonville.

f. Outstanding scenic views and sites in Salmonville are limited to the open space areas previously discussed. Due to the city's topography, vegetation and existing development pattern, scenic views which could be considered outstanding, i.e., view of Stickelback Butte, are nonexistent in Salmonville.

g. Water areas, wetlands, watersheds, and groundwater resources are inventoried on pages 5, 6, and 27 of the background report. Salmonville is not located within a watershed area, but its water areas and wetlands which are associated with Steelhead Creek are incorporated in the city's open space concept and protected by the greenway overlay zone.

Groundwater resources are protected by the city's plan policies requiring new development within the city limits to be served by public water and sewer systems (see policies 2.a.(4) and (5), 2.b.(3) and (4), page 63).

h. Wilderness areas are not present within Salmonville or Beaver County according to the LCDC definition for this natural resource.

i. Historic areas, sites, structures, and objects for Salmonville were included in Beaver County's "Cultural Resources Survey and Inventory," September 1980. The work was performed by the Beaver County Museum and according to the project administrator, Joe Smith, the survey also included the City of Salmonville (letter, April 8, 1986). The survey was intended to establish a countywide historic and cultural resource data base thereby providing the means for complying with Goal 5 inventory requirements. The National Park Service criteria are applied in defining cultural resources. The survey excludes certain items such as resources less than 30 years old unless proven of exceptional importance, state or federal lands, inaccessible resources, and all cemeteries.

The 1980 survey found twelve possible historic buildings and sites. Of these, six were identified in the plan as historic resources (p. 33) and protected through the provisions of Section 8.0 of the development ordinance. Goal 5 work sheets for each of the twelve previously identified potential historic sites are attached to this order.

As a result of discussions during our current review, one building which was not included in the earlier review, the Salmonville Saloon, has been proposed for designation as a historic building. The saloon building was built in 1870 and is the oldest building in Beaver County. The saloon is the site of the famous shoot-out between three-fingered Jack and Fish-face Ferguson in 1882. Amendment of the plan's inventory of historic resources (plan, p. 33) to include the Salmonville Saloon building is proposed. Listing of this building will make it subject to the provisions of Section 8.0 of the development ordinance requiring review of proposed demolition or alteration of the building. This section of the ordinance was previously reviewed by LCDC and found to adequately protect historic buildings and sites by limiting conflicting uses. A work sheet detailing the city's Goal 5 decision-making process for this building is attached to this order.

Regarding archaeological resources, a different management strategy applies because these sites are usually below ground surface, and their presence or exact archaeological nature may not be known until ground breaking occurs. Also, the threat of looting and vandalism discourages mapping the

location of known archaeological sites. There is some evidence provided by the county museum regarding the presence of aboriginal or archaeological site(s) in the Salmonville area, and the museum staff has requested to be notified whenever construction involving substantial excavation occurs within the city.

The State Park and Recreation Division has requested a policy statement be included in the plan to protect and preserve cultural or historic resources (see attached July 11, 1985, Parks and Recreation Division memorandum). Thus, a new policy statement addressing requests from the State Parks and Recreation Division and county museum will be incorporated into the plan (see the corresponding plan amendment proposal).

j. Cultural areas are addressed in subparagraph "i" above.

k. Potential and approved Oregon recreation trails within Salmonville have not been identified by the State parks and Recreation Department and are therefore not applicable.

l. Potential and approved federal wild and scenic waterways and state scenic waterways, are not present within Salmonville. Steelhead Creek, which extends through the city, has not been included on the state's list of potential scenic waterways, nor has it been identified under the federal program.

Goal 10 Rule (Goal 660, Division 8):

In order to assure compliance with the Goal 10 rule which incorporates the requirements of ORS 197.295-313, the city has conducted a thorough review of the plan's housing element and the development ordinance. No amendments to the ordinance are required to assure compliance with statutory or rule requirements but the plan's housing element (pp. 39-43) will require amendments. The proposed amended pages are attached to this order. The city's compliance with the rule and statute is summarized below.

OAR 660-08-010 requires a housing needs analysis to determine the mix and density of needed housing and designation of sufficient buildable lands to meet the identified needs. ORS 197.303(2) exempts cities with a population of less than 2,500 from assessing all of the elements of the revised definition of needed housing. The need for government assisted housing must be considered in the needs analysis required for cities less than 2,500. Salmonville has a population less than 2,500 thereby qualifying the city for exemption from the full needs analysis. Nevertheless, Salmonville has chosen to fully review and revise its housing needs analysis for more than just government-assisted housing. The city's needs analysis is summarized in the following paragraphs and tables.

TABLE I
PROJECTED HOUSING NEEDS WITHIN SALMONVILLE'S UGB

HOUSING TYPE	# OF DWELLING UNITS 1985	# OF ADD'L DWELLING UNITS 2005*	ACREAGE NEEDS 2005	UNDEVELOPED ACREAGE CURRENTLY DESIGNATED BY PRIMARY USE	SURPLUS/ DEFICIT
Single-Family	387	80	20.0 a.	40 a.	+20.0 a.
Mobile Home	33	40	6.5 a.	12 a.	+5.5 a.
Multi-Family	180	66	5.0 a.	15 a.	+10.0 a.
Total	600	186	31.5 a.	67 a.	+35.5 a.

*Based on population of 2,300 in 2005 and median household size of three persons per units.

As can be seen from the table above, the plan includes more than sufficient amounts of land to meet the projected housing needs of Salmonville for the next 20 years for all three major housing types. Moreover, since Salmonville's plan and the development ordinance do not restrict government assisted housing in areas planned and zoned for residential use, the plan's provision of adequate land for all housing types ensures that adequate land is available for government-assisted housing thereby satisfying the requirements of ORS 197.303.

OAR 660-08-015 requires clear and objective standards, conditions, and procedures regulating the development of needed housing. The Salmonville development ordinance accomplishes this primarily through its simplicity. The ordinance specifies three residential zones: Residential-1, Multifamily, and Mobile Home Subdivision. The residential use allowed in each zone are:

TABLE II
HOUSING TYPES ALLOWED BY ZONE

ZONES	HOUSING TYPES	SINGLE-FAMILY RESID.	DUPLEXES	MULTI-FAMILY (3+ UNITS)	MOBILE HOMES ON LOT	MOBILE HOME PARK
Residential-1		P	CU	NP	P	NP
Multi-Family		P	P	P	NP	NP
Mobile Home Subdivision		P	NP	NP	P	P

P=permitted
NP=not permitted
CU=conditional use

The matrix shows that the uses allowed in each zone are clearly defined. The use of conditional use provisions is minimized. The conditions for allowing conditional uses are simple, clear,

and objective. Duplexes are allowed in the residential zone if: (1) the secondary dwelling unit is less than 900 square feet, contains only one bedroom, and is occupied by only one person--the "mother-in-law" apartment; or (2) if the duplex is located on a corner lot and the main entrance and driveway of each unit face different streets. All other use, dimension, and setback standards of the residential zone must be met by the duplex. The city has determined that the following standards for development of mobile home subdivisions are not clear and objective and proposes to amend the development ordinance at section 5.4 to delete them (see ordinance 86-10, attached):

> "(1) Manufactured housing units shall be reasonably comparable in square footage, bulk, height, roof pitch, roof materials and exterior materials to adjacent housing units built under the Uniform Building Code or shall compare to the midpoint of the UBC housing range.
>
> (2) The planning commission may require any additional conditions to make the development compatible with the existing character of the neighborhood."

Thus, the Salmonville development ordinance when amended, will meet the requirements of the Goal 10 Housing rule for clear and objective procedures, standards, and conditions regulating the development of all need housing types.

OAR 660-08-020 requires that buildable lands be designated for residential use in a manner specific enough to meet the needs of the varying types and densities identified in the needs projection. The plan and development ordinance designate all of the buildable residential lands within the UGB for residential uses. The designation of vacant lands is reported in Table I. The table illustrates that sufficient vacant land is designated for the needs of the different housing types and densities. Therefore, the plan and development ordinance meet the requirements of OAR 660-08-020.

Under OAR 660-08-025, if land within the UGB is not zoned to the maximum planned residential density, a process for rezoning must be established. The plan must contain a justification for the rezoning process and policies which explain how the process will be used to provide for needed housing. The standards and procedures for future rezoning must be justified and clear and objective. All land within the city limits is zoned in conformance with the designations in the plan; these zones provide for development at the ultimate planned residential densities. Beaver County has zoned all designated residential land within the UGB with residential zoning. The twenty-nine acres of residentially planned lands outside the city limits are currently zoned rural residential with a ten-acre minimum lot size. This zoning keeps the land in large blocks so as to facilitate the later conversion of this land to urban densities.

The development ordinance provides standards at Section III, Article 12, for the rezoning of rural residential lands to urban densities upon annexation to the city. The city believes that these standards meet the clear and objective rezoning standards required by OAR 660-08-025.

OAR 660-08-030 requires regional coordination of allocation of housing types. The allocation of the projected number of additional housing units for 2005 can be broken down by types into the following percentages:

HOUSING TYPES	PERCENTAGE OF PROJECTION	% REGIONAL ALLOCATION[1]
Single-Family	43	50
Mobile Home	22	20
Multi-Family	35	30

[1]Beaver County Housing Plan, page 27 (1982)

Salmonville more than adequately provides the necessary land for the projected increase in mobile homes and multifamily dwellings as illustrated in Table I and, thus, has adequately provided for accommodating its share of the regional allocation of housing types.

OAR 660-08-040 requires cities that regulate housing tenure (owner occupancy versus renter occupancy) must consider need according to tenure in their analysis. Salmonville does not regulate tenure. Therefore, tenure is not considered in the needs analysis.

Conclusion--Factor Two: The City of Salmonville has proposed amendments to its plan and implementing measures where necessary to assure compliance with the following administrative rules adopted or amended since the city's acknowledgment: OAR 660, Division 16 (Goal 5 rule); and OAR 660, Division 8 (Goal 10 rule). No action was necessary to comply with the Goal 2 and OAR 660, Division 4, exceptions requirements. When the city adopts the proposed amendments to the plan and development ordinance as listed in the preceding pages, the city will comply with the requirements of Factor Two.

FACTOR THREE

STATE AGENCY PLANS AND PROGRAMS

Applicable Rule: OAR 660-19-055(2)(c)

"The comprehensive plan or land use regulations are inconsistent with a state agency plan or program relating to land use that was not in effect at the time the local government's comprehensive plan was acknowledged, and the agency has demonstrated that the plan or program:

(A) Is mandated by state statute or federal law;

(B) Is consistent with the goals; and

(C) Has objectives that cannot be achieved in a manner consistent with the comprehensive plan or land use regulation."

Findings: The DLCD notice of December 25, 1985, listed the following state agency programs which apply to the City of Salmonville's local review. The city agrees with the DLCD and state agency determination that the programs meet the three part test of OAR 660-19-055(2)(c) and makes the following findings addressing the requirements of the state agency programs:

Department of Environmental Quality

Requirement: "Local governments must maintain an up-to-date inventory of major air, water, solid and hazard waste and noise pollution sources and sites."

Response:

Air--Salmonville's planning area does not contain any significant air pollution sources since it contains no large industries, highways, or other typical pollutant sources. This is reported in the plan's section on air quality on page 42 and has been verified by a survey of existing land uses. The absence of known significant air pollution sources has been verified by DEQ (personal communication from DEQ Air Quality Division, April 12, 1986). The city therefore concludes that the plan is consistent with the requirement to inventory major air pollution sources.

Water--The only NPDES waste discharge permit holder within Salmonville is the city's wastewater treatment plant. No other major point sources are known to DEQ (personal communication from DEQ, Eastern Region Inspector, March 12, 1986) or to the Salmonville public works director. The plan, on page 44, describes the condition, capacities, peak and average flows, and NPDES permit performance requirements for

the wastewater plant. Storm runoff is a major source of nonpoint pollution to Steelhead Creek. This is reported in the plan (p. 45) along with a map delineating the major drainageways and drainage basins. Because the plan contains information on these identified major water pollution sources, the city therefore concludes that the plan is consistent with the requirement to inventory major water pollution sites.

Solid and Hazardous Wastes--No solid waste or hazardous waste disposal sites exist within the Salmonville UGB (personal communication with DEQ, March 12, 1986). Solid waste collection is provided by Joe's Garbage Trucking, Inc., under a franchise for the city. Wastes are disposed of at the county landfill. The landfill has an estimated site-life of 25 more years at current rates of filling (letter from R. Brown, County Public Works Director, April 20, 1986). In addition, the plan (pp. 34, 35) also reports on the curbside recycling program and the city's information campaign on waste reduction. The plan more than adequately inventories hazardous waste and solid waste sources and disposal sites and therefore is consistent with the DEQ requirements.

Noise--The plan lists the railroad siding in the industrial park as the only major source of noise in the Salmonville area. All land within 500 feet of the railroad siding is zoned for industrial uses. The siding receives little use. There are no other major noise sources such as airports, major highways, or large industries in the planning area. This is reported in the plan's section on noise on page 44. Because of the buffering effect of the industrial zoning around the railroad siding and the absence of other major noise sources, the city concludes that its inventory and treatment of major noise sources is adequate.

Requirement: Local governments which lack policies requiring compliance with state and federal, air, water, solid waste hazardous waste, and noise regulations must adopt such policies.

Response: The plan does not contain a policy requiring compliance with state and federal environmental regulations. The city proposes the following policy addressing the above requirement to be added as policy 23, page 10, of the plan.

> All development within the City of Salmonville must comply with applicable state and federal environmental rules, regulations, and standards. Development ordinance regulations will be coordinated with federal and state environmental regulations.

Requirement: Local governments with land use regulations relating to air, solid waste, hazardous waste, and noise pollution which conflict with those of DEQ must amend them to be consistent.

Response: The city has discovered, through discussions with DEQ, that the development ordinance's air quality performance standards at Section 8.03 are not consistent with or as stringent as newly adopted DEQ requirements. The city proposes to update Section 8.03 to comply with the current DEQ air quality standards. See the attached development ordinance amendments.

Department of Transportation

Parks Division

Requirement: Local governments must maintain an up-to-date inventory of state parks and assure that local plans are consistent and coordinated with state parks master plans.

Response: There are no state parks in or near Salmonville. No state parks are planned for the area (ODOT letter, March 8, 1986). The city therefore concludes that this requirement does not apply to the city's plan or regulations.

Highway Division

Requirement: Local governments must amend Goal 11 elements to inventory proposed highway improvements, and to adopt a policy to coordinate with ODOT in implementing its Improvement Program.

Response: This review order discusses the proposed Steelhead Creek Bridge reconstruction under Factor One-D and discusses proposed plan amendments which will include this project in the plan's Road Improvement Program section. The city proposes the following plan policy to be added on page 12 which, when adopted, will satisfy the above requirement.

> The city will cooperate with the Oregon Department of Transportation in the implementation of the ODOT Six-Year Highway Improvement Program.

Department of Water Resources

Requirement: "The Water Resources Commission has recently set minimum stream flows for many Oregon streams and rivers. The enclosed map and table will assist you in determining whether your city is affected by these changes..."

Response: Steelhead Creek and other streams and rivers in the Beaver River drainage basin have not had minimum stream flows set for them by the Water Resources Commission. Therefore, the city concludes that the DWR requirements contained in the notice do not apply to Salmonville's local review or plan during this periodic review. Should minimum streamflow levels be set for Steelhead Creek in the future, the city will address the DWR requirements at the next periodic review.

Conclusion--Factor Three: The City of Salmonville's plan and land use regulations are or will be consistent with all state agency plans and programs listed in the DLCD notice when the proposed plan text amendments discussed above are adopted. Adoption of those amendments will bring Salmonville into compliance with the requirements of Factor Three, OAR 660-19-005(2)(c).

FACTOR FOUR

ADDITIONAL PLANNING TASKS REQUIRED AT THE TIME OF ACKNOWLEDGMENT OR AGREED TO IN RECEIPT OF STATE GRANT FUNDS (OAR 660-19-055(2)(d)

"The city or county has not performed additional planning that:

(A) Was required in the comprehensive plan or land use regulations at the time of initial acknowledgment or that was agreed to by the city or county in the receipt of state grant funds for review and update; and

(B) Is necessary to make the comprehensive plan or land use regulations comply with the goals."

Findings: The Commission's February 1981 report contained the following required update items:

Requirement: "Revision of the plan regarding future solid waste disposal, noting that a new county disposal facility is anticipated" Goal 6, page 8.

Response: The comprehensive plan will be amended (p. 34) to include a policy "to participate and cooperate with the Beaver County Solid Waste Management Program" and will report on solid waste collection and disposal services and facilities as discussed under Factor Three (see Comprehensive Plan Amendments document, attached).

Requirement: "Revision of the street standards in the development ordinance to be consistent with those in the plan" Goal 12, page 8.

Response: The development ordinance (Section VII(2)) will be amended to conform to the street standards in the comprehensive plan (see Ordinance 85-2, attached).

Conclusion--Factor Four: Upon adoption of the above-mentioned plan amendment concerning participation in the Beaver County Solid Waste Management Program and the development ordinance amendment concerning street standards, the city will have fulfilled its agreement with LCDC made at the time of acknowledgment to resolve these problem areas. This will adequately satisfy the requirements of periodic review Factor Four.

OVERALL CONCLUSION

The City of Salmonville has conducted a thorough review of its comprehensive plan and development ordinance in response to: changes in the community; amended or newly adopted statewide

planning goals, Oregon Administrative Rules, and Oregon Revised Statutes; new or revised state agency plans, programs, and inventories; prior obligations of the city to complete planning tasks. The findings presented in this local review order contain the city's responses to the periodic review factors and outline proposed plan and ordinance amendments which, when adopted, will bring the plan and development ordinance into compliance with all applicable requirements listed in the DLCD periodic review requirement notice of December 25, 1985. Adoption of the plan and development ordinance amendments and a final review order will complete Salmonville's periodic review responsibilities required by ORS 197.640 and OAR 660, Division 19.

ADOPTION

WHEREAS, proper notices were published in the Salmonville Herald Star advertising the city council hearings; and

WHEREAS, the city council conducted the public hearings to receive public input on the city's periodic review;

NOW, THEREFORE, this Proposed Periodic Review Order is hereby adopted.

Approved this June 20, 1986.

Signature

DB/sp
<pr>Salmonville

ATTACHMENT

GOAL 5 WORK SHEET

Type of Resources: Historic Building

Description: Saloon built in 1880

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1. Inventory Requirement

1-A: Available information indicates resource site not important: YES or (NO.)

If YES, designate site 1-A; action required: none.

If NO, proceed.

1-B: Available information is insufficient to determine importance of resource site: YES or (NO.)

If YES, designate site 1-B; action required: adopt policy to follow Goal 5 Rule requirements when information becomes available.

If NO, proceed.

1-C: Available information is adequate to indicate that the resource site is significant: (YES) or NO.

If YES, designate site 1-C; action required: Inventory

Location 450 Main Street

Quality Only example of pre-1900 architecture in county, building in fair condition

Quality This is the oldest building in Beaver County

Proceed to 2

2. 2-A: There are existing or potential conflicting uses at the site: (YES) or NO.

If NO, designate site 2-A; action required: adopt a policy to preserve resource site.

If YES, proceed.

2-B: Describe the existing or potential conflicting uses at the site:

Demolition or alteration of building

Complete ESEE Analysis of Conflicting Uses

Economic: Building could be restored for less than the cost of new building. Restored building would attract tourists.

Social: Building is part of the history and culture of Salmonville.

Environmental: No environmental consequences.

Energy: No energy consequences.

Conclusion of ESEE Analysis: Building should be protected, consistent with the economic use of the property for commercial purposes.

Proceed to 3

3. Program for Resource Protection

3-A: Based on the ESEE analysis, the benefits from preserving the site outweigh those from allowing full conflicts: YES or (NO.)

If YES, designate site 3-A; action required: adopt policy and implementing measures to preserve site from conflicts.

If NO, proceed.

3-B: Based on the ESEE analysis, the benefits from allowing full conflicts outweigh those from preserving the site: YES or (NO.)

If YES, designate site 3-B; action required: none.

If NO, proceed.

3-C: Based on the ESEE analysis, the benefits from allowing limited conflicts and protecting the site to some degree are comparable: (YES) or NO.

If YES, designate site 3-C; action required: adopt policy and clear and objective implementing measures to protect site by limiting conflicts.

(See development ordinance, section, 8.0)